

House File 2067 - Introduced

HOUSE FILE 2067
BY WILLS

A BILL FOR

- 1 An Act creating temporary class "A" beer permits authorizing
- 2 native breweries to manufacture and store beer off premises,
- 3 and providing fees.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 123.130, subsection 3, Code 2026, is
2 amended to read as follows:

3 3. All class "A" premises shall be located within the state.
4 All beer received by the holder of a class "A" beer permit from
5 the holder of a certificate of compliance before being resold
6 must first come to rest on the licensed premises of the permit
7 holder, must be inventoried, and is subject to the barrel tax
8 when resold as provided in section 123.136. A class "A" beer
9 permittee shall not store beer overnight ~~except on~~ unless the
10 premises are licensed under a class "A" beer permit or authorized
11 under a permit issued pursuant to section 123.130A.

12 Sec. 2. NEW SECTION. 123.130A Temporary class "A" beer
13 permits for native breweries — manufacture and storage — fee.

14 1. A native brewery holding a class "A" beer permit may apply
15 for a temporary class "A" beer permit under this section.

16 2. A native brewery shall submit an application for
17 a temporary permit under this section to the department
18 electronically, or in a manner prescribed by the director, for
19 each off-premises site the native brewery intends to use as
20 described in subsection 4.

21 3. Except as otherwise provided in this section, the
22 requirements of a temporary class "A" beer permit are the same
23 as a class "A" beer permit.

24 4. A person holding a temporary class "A" beer permit may,
25 on a temporary basis for a period not to exceed nine months,
26 manufacture beer off premises using the person's own equipment
27 or store beer overnight off premises. A temporary class "A"
28 beer permit does not authorize a person to sell beer at the
29 off-premises location.

30 5. The fee for a temporary permit issued pursuant to this
31 section is one-half of the annual permit fee the holder paid
32 pursuant to section 123.134, subsection 2.

33 6. A refund of fees paid shall not be made for a temporary
34 license issued pursuant to this section. A temporary permit
35 issued pursuant to this section is renewable up to two times.

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EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This bill creates temporary class "A" beer permits authorizing native breweries to manufacture and store beer off premises. A "native brewery" is a business which manufactures beer or high alcoholic content beer and is operated by a person who holds a class "A" beer permit.

Currently, a person holding a class "A" beer permit or special class "A" beer permit is not permitted to manufacture or store beer off premises. However, a person holding a class "A" or special class "A" beer permit may manufacture beer off premises using the space and equipment of another permitted manufacturer for the purpose of manufacturing beer, provided the alternating proprietorship arrangement has been approved by the federal alcohol and tobacco tax and trade bureau of the United States department of the treasury.

The bill allows a native brewery holding a class "A" beer permit to apply for a temporary class "A" beer permit with the department of revenue.

The bill permits a person holding a temporary class "A" beer permit to, on a temporary basis for a period not to exceed nine months, manufacture beer off premises using the person's own equipment or store beer overnight off premises. A temporary permit under the bill does not authorize the sale of beer off premises.

The fee for a temporary class "A" beer permit is \$150 (one-half of the annual permit fee the holder paid pursuant to Code section 123.134(2)).

The bill prohibits a refund of the fees paid for a temporary permit, and the temporary permit is renewable up to two times.